

DECLARATION, POWER OF ATTORNEY, AND PETITION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**COMPOUNDS FOR CONTROL OF APPETITE, BLOOD PRESSURE,
CARDIOVASCULAR RESPONSE, LIBIDO, AND CIRCADIAN RHYTHM**

the specification of which (check one below):

☒ is attached hereto.

☐ was filed on ___ as Application Serial No. ___ or Express Mail No. ___, and was amended on ___ (if applicable).

☐ was filed on ___ as PCT International Application No. ___, and as amended under PCT Article 19 on ___ (if any).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed?

(Number) (Country) Day/Month/Year Filed

() Yes () No

(Number) (Country) Day/Month/Year Filed

() Yes () No

(Number) (Country) Day/Month/Year Filed

() Yes () No

I hereby claim the benefit under Title 35, United States Code, §120 and/or §119(e) of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations §1.56, which became available between the filing date of the prior application and the national or PCT international filing date of this application.

09,449,914

(Serial No.)

December 2, 1999

(Filing Date)

Pending

(Status: Patented, Pending, or Abandoned)

08,907,403

(Serial No.)

August 7, 1997

(Filing Date)

Patented

(Status: Patented, Pending, or Abandoned)

(Serial No.)

(Filing Date)

(Status: Patented, Pending, or Abandoned)

I hereby appoint John D. Poffenberger (R. No. 20,245), Bruce Tittel (R. No. 22,324), Donald F. Frei (R. No. 21,190), David J. Josephic (R. No. 22,849), A. Ralph Navaro, Jr. (R. No. 23,050), David S. Stallard (R. No. 25,930), J. Robert Chambers (R. No. 25,448), Gregory J. Lunn (R. No. 29,945), Kurt L. Grossman (R. No. 29,799), Clement H. Luken, Jr. (R. No. 32,742), Thomas J. Burger (R. No. 32,662), Gregory F. Ahrens (R. No. 32,957), Wayne L. Jacobs (R. No. 35,553), Kurt A. Summe (R. No. 36,023), Kevin G. Rooney (R. No. 36,330), Keith R. Haupt (R. No. 37,638), Theodore R. Remaklus (R. No. 38,754), Thomas W. Humphrey (R. No. 34,353), Joseph R. Jordan (R. No. 25,686), C. Richard Eby (R. No. 25,854), David E. Pritchard (R. No. 38,273), David H. Brinkman (R. No. 40,532), J. Dwight Poffenberger, Jr. (R. No. 35,324), Beverly A. Lyman (R. No. 41,961), A. Ralph Navaro III (R. No. 46,207), Scott A. Stinebruner (R. No. 38,323), Kristi L. Davidson (R. No. 44,643), P. Andrew Blatt (R. No. 44,540), David E. Jefferies (R. No. P-46,800), David E. Franklin (R. No. 39,194), Herbert C. Brinkman (R. No. 16,955), all

of Wood, Herron & Evans, L.L.P., 2700 Carew Tower, 441 Vine Street, Cincinnati, OH 45202-2917, telephone no. (513) 241-2324, my attorneys, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. Address all correspondence and telephone calls to

Gregory J. Lunn
Wood, Herron & Evans, L.L.P.
2700 Carew Tower
441 Vine Street
Cincinnati, OH 45202-2917
Telephone (513) 241-2324

Wherefore I pray that Letters Patent be granted to me for the invention or discovery described and claimed in the foregoing specification and claims, and I hereby subscribe my name to the foregoing specification and claims, declaration, power of attorney, and this petition.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of Inventor Ambikaipakan Balasubramaniam

Inventor's Signature Ambikaipakan Balasubramaniam Date 07/05/00

Residence City/State 5100 Autumnwood Dr., Cincinnati, Ohio Citizenship U.S.A.

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Full name of Inventor William T. Chance

Inventor's Signature William T. Chance Date 07/05/02

Residence City/State 854 Gorham Pl., Withamsville, Ohio Citizenship U.S.A.

Post Office Address 854 Gorham Pl., Withamsville, OH 45245

PATENT

Applicant or Patentee: Ambikaipakan **BALASUBRAMANIAM** and
William T. **CHANCE**

Attorney's Docket No.: UOC 113A 111

Serial or Patent No.:

Filed or Issued:

For:

Compounds for Control of Appetite, Blood Pressure,
Cardiovascular Response, Libido, and Circadian Rhythm

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(f) and 1.27(d)) - NONPROFIT ORGANIZATION**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION: **UNIVERSITY OF CINCINNATI**
ADDRESS OF CONCERN: **2600 Clifton Avenue**
Cincinnati, Ohio 45221-0623

TYPE OF ORGANIZATION:

- ☒ UNIVERSITY. **University of Cincinnati**
☒ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) AND 501(c)(3)).
☒ NONPROFIT SCIENTIFIC OR EDUCATIONAL INSTITUTION UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA. (Name of State: **OHIO**)
☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) AND 501(c)(3)) IF LOCATED IN THE UNITED STATES OF AMERICA
☐ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA (Name of State: _____) (Citation of Statute: _____)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 C.F.R. 1.9(e) for purposes of paying reduced fees under §§ 41 (a) and (b) of Title 35, United States Code, with regard to the invention entitled **Compounds for Control of Appetite, Blood Pressure, Cardiovascular by inventors Ambikaipakan BALASUBRAMANIAM and William T. CHANCE** described in:

- ☒ the specification filed herewith
☐ application serial number _____, filed _____
☐ patent no. _____, issued _____

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 C.F.R. 1.9(d) or by any concern which would not qualify as a small business concern under 37 C.F.R. 1.9(d) or a nonprofit organization under 37 C.F.R. 1.9(e).

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities.
(37 C.F.R. 1.27)

NAME _____

ADDRESS _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in the application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, and any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING

TITLE OF PERSON OTHER THAN OWNER

ADDRESS OF PERSON SIGNING

Stephen R. Albainy-Jenei
Assistant General Counsel and
Assistant University Patent Officer
2600 Clifton Avenue
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Date: 7 August 97

Stephen R. Albainy-Jenei
SIGNATURE

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